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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No. 108 OF 2007
IN
CRIMINAL REVISION APPLICATION **No. 47 OF 2005**

Office notes, office memoranda of coram, appearances, Court's orders directions & Registrar's orders	:	Court's or **Judge's** order

Mr. D. Brijesh h/f Khandeparkar & Associates, for the applicant.

Ms. Suvarna Telgote advocate for respondent No.1.

Smt. V. R. Bhosale, APP for respondent No.2.

CORAM: J. N. PATEL,
AND
A. A. SAYED, JJ.

DATE : APRIL 21, 2007.

P.C.:

. This application is filed for extension of time to file reply of the applicant, who failed to file reply before the

appellate court, in a proceeding, pending for enhancement of maintenance.

2. In order to give fair opportunity to the applicant husband, we are inclined to grant him relief, as sought, but subject to the condition that he shall pay all arrears of maintenance and costs of Rs.5,000/- to the respondent by depositing it in the Family Court within a period of 2 weeks from the date of passing of this order. On such arrears being deposited along with the costs, the Family Court to accept the written statement of the applicant husband which he will file within 2 weeks from today. On failure to abide by the terms & conditions, the

order would stand recalled and the Family Court shall proceed in the matter, without the written statement of the applicant /husband.

2. The Criminal Application stands disposed on the aforesaid terms and conditions.

[A. A. SAYED, J.] **[J. N. PATEL, J.]**